IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4028 OF 2006.

Mahendra urupadappa Shetty. ... Applicant.

Versus.

Mahabal S.Shetty and others. ... Respondents.

Shri P.G.Badole for the Applicant.

Shri S.V.More, A.P.P. for the Respondent-State.

CORAM : ABHAY S.OKA, J.

DATED : 20th November, 2006.

P.C.:

1. Heard the learned Advocate for the Applicant in support of application for grant of leave. Paragraph 11 of the impugned Judgment records that the Advocate appearing for the Applicant fairly conceded before the trial Court that there is no case against the Respondent No.2 (Accused No.2). A perusal of the Judgment shows that no case is made out against the 2nd Respondent.

2. However, as against the 1st Respondent leave deserves to be granted.

3. The Application is rejected in so far as the 2nd Respondent is concerned. Leave is granted confined to the 1st Respondent. The Appeal is accordingly admitted. Call for the Record and Proceedings.

Judge.